

§ 971.100

- 971.605 Stable References Areas. [Reserved]
971.606 Onshore information.

Subpart G—Safety of Life and Property at Sea

- 971.700 General.
971.701 Criteria for safety of life and property at sea.

Subpart H—Miscellaneous

- 971.800 General.
971.801 Records to be maintained and information to be submitted by licensees and permittees.
971.802 Public disclosure of documents received by NOAA.
971.803 Relinquishment and surrender of licenses and permits.
971.804 Amendment to regulations for conservation, protection of the environment, and safety of life and property at sea.
971.805 Computation of time.

Subpart I—Uniform Procedures

- 971.900 Applicability.
971.901 Formal hearing procedures.

Subpart J—Enforcement

- 971.1000 General.
971.1001 Assessment procedure.
971.1002 Hearing and appeal procedures.
971.1003 License and permit sanctions.
971.1004 Remission or mitigation of forfeitures.
971.1005 Observers.
971.1006 Proprietary enforcement information.
971.1007 Advance notice of civil actions.

AUTHORITY: 30 U.S.C. 1401 *et seq.*

SOURCE: 54 FR 525, Jan. 6, 1989, unless otherwise noted.

Subpart A—General

§ 971.100 Purpose.

The purpose of this part is to implement the responsibilities and authorities of the Administrator of the National Oceanic and Atmospheric Administration (NOAA) pursuant to Public Law 96-283, the Deep Seabed Hard Mineral Resources Act (the Act), to issue to eligible United States citizens permits for the commercial recovery of deep seabed hard minerals.

§ 971.101 Definitions.

For purposes of this part, the term

15 CFR Ch. IX (1–1–10 Edition)

(a) *Act* means the Deep Seabed Hard Mineral Resources Act (Pub. L. 96-283; 94 Stat. 553; 30 U.S.C. 1401 *et seq.*);

(b) *Administrator* means the Administrator of the National Oceanic and Atmospheric Administration, or the Administrator's designee;

(c) *Affected State* means any State with a coastal zone management program approved under Section 306 of the Coastal Zone Management Act, as amended, where coastal zone land and water uses are affected by the issuance of a commercial recovery permit under the provisions of the Act or this part;

(d) *Applicant* means an applicant for a commercial recovery permit pursuant to the Act and this part; as used in subparts H, I and J of this part, "applicant" also means an applicant for an exploration license pursuant to the Act and part 970 of the title. "Applicant" also means a proposed permit transferee;

(e) *Commercial recovery* means—

(1) Any activity engaged in at sea to recover any hard mineral resource at a substantial rate for the primary purpose of marketing or commercially using such resource to earn a net profit, whether or not such net profit is actually earned;

(2) If such recovered hard mineral resource will be processed at sea, such processing; and

(3) If the waste of such activity to recover any hard mineral resource, or of such processing at sea, will be disposed of at sea, such disposal;

(f) *Continental Shelf* means—

(1) The seabed and subsoil of the submarine areas adjacent to the coast, but outside the area of the territorial sea, to a depth of 200 meters or, beyond that limit to where the depth of the superjacent waters admits of the exploitation of the natural resources of such submarine area; and

(2) The seabed and subsoil of similar submarine areas adjacent to the coast of islands;

(g) *Controlling interest*, for purposes of paragraph (v)(3) of this section, means a direct or indirect legal or beneficial interest in or influence over another person arising through ownership of capital stock, interlocking directorates or officers, contractual relations, or